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Committee on Economic, Social and Cultural Rights
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Item 6 (a) of the provisional agenda
Consideration of reports: reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

List of issues in relation to the fourth periodic report of Mongolia

Addendum

Replies of Mongolia to the list of issues*

[Date received: 12 May 2015]

I. General information

Question 1

1. Article 10 of the Constitution of Mongolia declared that "International Conventions and treaties, ratified by Mongolia will be applicable in national laws as soon as it is entered into force" and further it stipulates that in case of any inconsistency between international treaty and national law, international treaty shall be subject to be higher legal order.

2. The rule on the application of international treaty in domestic judicial practice is determined in accordance with Mongolian Supreme Court's Decree No. 09 on "Application of international treaty ratified by Mongolia and generally accepted norms". Under its mandate, the National Human Rights Commission of Mongolia has issued 25 claims regarding 33 cases of violation of human rights and freedom since its establishment. Although the Committee indicated principles and standards for all the claims, the court used these standards as the basis for 2 cases only. Economic, social and cultural rights are asserted in litigation in the Courts. This is done with reference to the Constitution rather than to the International Covenant on Economic, Social and Cultural Rights. It is difficult to say with absolute certainty that the Covenant has not been cited in domestic litigation but it has not formed the basis for any judgement. A search of the databases for litigation

* The present document is being issued without formal editing.

involving Government Departments in the past ten years shows no examples. The Superior Courts consistently identify the separation of powers as the limit on adjudication of such rights by courts: the courts cannot allocate finite public funds. The courts do adjudicate rights of procedural fairness in respect of economic, social and cultural rights/claims.

Question 2

Regarding the finance

3. Under the Paris Principles, the Government must allocate sufficient budget to the National Human Rights Commission in order to ensure its autonomy and independency. Accordingly, Article 22 of the Law on National Human Rights Commission of Mongolia provides that the Parliament of Mongolia has to allocate sufficient budget for National Human Rights Commission in the State revenue based on the Commission's request that avails autonomous and independent activities. However, the Parliament takes consideration of and approves the amount of the budget based on Government's request only.

4. Also, under the Paris Principles, if any new mandate is charged to the Commission, the budget must be increased accordingly. In accordance with the Law on Gender Equality of Mongolia approved by Parliament on 2 February 2011, the Committee is charged with responsibilities to report to Parliament on the implementation of gender equality legislation in the country and addressing and monitoring of claims and complaints relating to gender discrimination (15.1.4.b of Article 15), as well as receive and deal with complaints on violence of gender equality. As seen from the increase of responsibilities, the budget to be allocated for the Committee should be increased accordingly.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 1 (2) – Free disposal of natural wealth and resources

Question 3

5. According to the Law on Minerals of Mongolia, exploration license is provided to companies in consultation with local authorities consisting of Citizens' representatives.

Article 2 (1) – Maximum available resources

Question 5

6. According to the Law on Budget, General local development fund shall be made up of the following sources, including:

- 25 percent of VAT of goods and services except imported goods and services;
- 5 percent of mineral exploitation tax revenue;
- Grants and donations rendered by domestic non-governmental organizations and official foreign aid to support local development;
- Funds to be mobilized as defined in Provision 56.2 of this Law;
- 30 percent of oil exploitation tax revenue.

Source for General local development fund from mineral exploitation tax revenue, 2013-2015 (Billion tugrigs)

Revenue of General local development fund	*2013*	*2014*	*2015*
Mineral exploitation tax revenue	23.2	28.9	21.3
Oil exploitation tax revenue	-	-	11.3
Total	**23.2**	**28.9**	**32.6**

Question 6

7. In the frame of activities to prevent from corruption, the Independent Authority Against Corruption has joined Extractive Industry Transparency Initiative. In the frame of implementation of the initiative, information on exploration licenses and their holders is posted on the websites of respective organizations including, Ministry for Mining, General Authority for Oil and General Authority for Minerals.

8. According to the regulation "Monitoring of state organizations activities against corruption" which was approved by Independent Authority Against Corruption, a monitoring has carried out by the expert team who was selected by open competition in order to check activities against corruption run by State organizations in 2013 and 2014 and the result was posted in website for transparency. 71 organizations in 2013 and 124 organizations in 2014 each were monitored. The monitoring has two indicators including implementation of Law on Anti-Corruption /up to 70 scores/ and initiatives to combat corruption /up to 30 scores/ and national average score of this year was 60% and it was 11.8% higher than previous year.

9. The identity of informer of corruption incidence can be kept secret if he/she requested, however, the informer is necessary to testify in the courtroom. According to Law on Protection of Witness and Victim, the informer can be secured by witness protection service. According to the existing Criminal Code of Mongolia, any crime is not able to be investigated if there is no any certain informer or claimant.

Article 2 (2) – Non-discrimination

Question 7

10. According to the Population Census 2010, 69.7 percent of total population resided in urban area and out of which 64.1 percent resides in capital city Ulaanbaatar. From 2000 to 2010, population of capital city has increased by 5.7 percent annually. It shows the increasing trend of internal migration towards urban areas. The main push factors of the internal migration are lack of job opportunities, inaccessibility of social and cultural activities in rural areas.

11. One of the objectives of the Millennium Development Goals of Mongolia was to halve absolute poverty by 2015. According to the statistics from National Statistical Office, the goal is achieved by 2012 and the poverty reached 27.4 percent.

12. In terms of location, poverty occurred more in rural area than urban area however number of poor is equal in both areas. There is more chance for herders who have less than 100 cattle to fall into poverty and they compose 36 percent of total herders. It is estimated that there is 8.3 times difference between monthly expenditure of top and bottom 10 percent of population.

Question 7 (second sentence)

13. It is estimated that 32.7 thousands of herders are covererd by social insurance, and 111.2 thousands are covered by health insurance out of 273.2 thousands of herders having identification card in 2014. We have started the implementation of "Promoting and Building Social Protection and Employment Services for Vulnerable Groups" Project since 2013 in collaboration with International Labour Organization funded by Japanese Government a project.

14. Provision of cash benefit to reindeer herders was institutionalized by the regulation A/72 which was approved by Minister for Population Development and Social Protection in 2013. According to the regulation, the amount of the cash benefit for children under age 18 living in taiga area should be as equal as 50 percent of minimum standard of living of those who live in steppe area. For adults the benefit is equal to minimum standard of living. In 2014, 343 people of 93 households including 211 adults and 132 children were granted the benefit in total amount of 443.9 million tugriks.

Question 8

15. The Government of Mongolia took some significant measures to provide accessible environment for people with disabilities through the approval of over 10 necessary norm and rules such as "Inclusion of accessible tools and equipment's in civil engineering", MNS 91.040.10: 2009 standard, "Inclusive planning for people with disabilities", "Instruction for pedestrian cross for people with disabilities and pedestrians" and so forth.

16. It was indicated in Government Action Plan to establish accessible infrastructure for people with disabilities, so necessary measures are taken accordingly.

17. In accordance with Government resolution No. 151 dated 01 December 2012, the people with disabilities are involved in the State commission on projection of new buildings and their views are heard and considered.

18. On the occasion of the international day for the rights of persons with disabilities, an assessment was carried out on the accessibility of public facilities including road and exit, entrance and restrooms of service centres and State organizations by joint committee of Ministry of Population Development, Social Protection, National Human Right Commission and representatives from disability related NGOs. The assessment revealed whether the planning considered the disability specifics and whether the norms and standards meet the requirements. Following the assessment, recommendation was issued and distributed to related organizations.

19. Several measures were taken to increase availability of inclusive education for people with disabilities such as accessible facilities were installed in more than 30 schools. New accessible building which has capacity to house 320 students was constructed for special school No. 70. Also, special school No. 29 for blind was renovated.

Article 3 – Equal rights of men and women

Question 9

20. Measures taken to address traditional stereotypes that are impediments to women's equal participation in political life:

- Gender equality in political life was stipulated in article 10 of Law on Gender Equality. With a view to implement the Article, step by step campaigns to raise public awareness were held. For instance, public awareness trainings were conducted focused on authorities of 13 ministries, 9 districts, and 3 provinces.

21. Measures taken to address traditional stereotypes that are impediments to women's equal participation in economic life:

- Information and Training Centre for Gender Equality and Awareness is planned to be established under National Commission on Gender Equality. Generally, the Commission provides inter-sectorial coordination and monitoring on gender equality.

22. Measures taken to address occupational segregation by sex whereby women are mainly occupied in low-paying jobs in the health, education, retail trade, and informal sectors:

- Gender equality in employment was institutionalized by the Constitution of Mongolia, Law on Labour, Law on Gender Equality of Mongolia. In case of violation of the right to work, the person has right to complain to the National Human Right Commission, Administrative Court or Civil Court.
- Following are the main laws that ensure equal participation of man and woman in all types of work in all sectors. For instance:
    - Law on Employment Promotion, 2010
    - Law on Employment Promotion, 2011
    - Law on Occupational Safety and Health, 2008
    - Law on Gender Equality, 2011
- Majority of employees of small and medium sized business which has been highly promoted since 2008, are women.

Question 9 (second sentence)

23. Following the recommendations by several countries on ensuring women's participation in all areas and combating discrimination against women, Mongolia has passed Law on Gender Equality in 2011. The law provides legal foundation of several changes as follows:

24. According to the revised law on Parliamentary Election 2012, it was stipulated that no less than 20 percent of candidates for election from political party and coalition shall be women. In the 2012 Parliament Election 32 percent of candidates were women, and as a result of the election 11 women members took seats in the Parliament making up 14.47 percent among 76 Members. Thus women members' seats increased by 4 times comparing to previous election.

25. Under the Law on Gender Equality, it was stipulated that no less than 15–40 percent of high ranking officials at Ministries, agencies and local administrative bodies shall be women. Currently, 57.4 percent of 17.9 thousands of employees of State administrative organizations are women and out of which 27.6 percent of the women are occupied in senior ranking positions.

26. Since the Law on Gender Equality was enacted, the National Commission on Gender Equality received 5 complaints in 2011, 9 complaints in 2012, 16 complaints in 2014 and 39 complaints in the second quarter of 2014 respectively on gender related discrimination, sexual harassment at work and domestic violence. The complaints have been duly transmitted to respective legal authorities.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – Right to work

Question 10

27. In accordance with provision 3.1.7 of Employment Promotion Law of Mongolia that focuses on "citizens facing difficulties to find a job", 9 programs and one project have been developed and approved by Resolution No. 05 of National Employment Council of 2014. These programs are designed, for instance, to promote employment of employable citizens of households in need of social welfare support and assistance, people with disabilities, former prisoners, and children and young people fostered in child protection centres aged 15–18, and those people who seek, but cannot find a job for longer than 6 months. Moreover, these programs encourage employers who provide these targeted people with job.

28. As a result of implementing the above mentioned programs and projects, total number of 72,839 jobs were created in 2014, including 27,052 permanent and 45,787 temporary jobs. In 2014 total number of 5,695 vulnerable people face difficulties to find a job were covered in employment orientation measures. Among these measures, 3,663 people were provided with primary job related information and involved in occupational safety and job adaptation training activities, 703 people were granted financial support in getting documentation required for employment, and 1,329 people granted financial support for medical examination required for employment.

29. Also, total number of 6,399 people were involved in vocational skills training in 2014 out of which 60.6 per cent were provided with jobs. In order to increase rural employment total amount of 17.9 milliard tg. were distributed from Employment Promotion Fund to 21 provinces in the same year.

30. In the frame of the Herders' employment promotion program the herders' households headed by aged up to 40 years are granted the amount of 5 mln. tg. loan with 50 per cent of repayment conditions for the duration of 3 years. This program involved 726 herders' families having provided 1,492 people of employable age with were given opportunities to engage in husbandry to earn income. Also, 2.9 milliard tg. were allocated and spent for purchasing 38,883 heads of livestock. At the same time, the program introduced that herder-employer is granted for up to 1 mln.tg. who trained as an apprenticeship and provided those without and/or with few number of livestock with jobs as assistant herder and paid minimum monthly wage for the duration of not less than 12 months. The program provided 50 people with jobs and granted 50.0 mln. tg. to 46 employers.

31. Within 2012–2014 the Program created 3,456 permanent jobs with total fund of 7,844,233.6 thous.tg. among these activities, total number of 1,706 herder households were involved in re-livestocking activities through the fund of 6,827,385.0 thous. Tg.

Question 11

32. Following provisions are stipulated in Labour Law on employment of people with disabilities:

- Provision 111.1, Article 111 of Labour Law of Mongolia provides that "Disabled or dwarf persons shall be employed at a level of not less than 3 percent of its total staff by a business entity or organization having more than 50 employees, unless it is contrary to the job or production feature." As of 2014, in the frame of implementing

this provision, 1,469 economic entities and organizations recruited people with disabilities out of total number of 3,036 economic entities and organizations which are obliged to implement the provision. 235 economic entities and organizations have paid levy for not having employed people with disabilities and 16 have been granted exemptions from paying the levy. The levy for not having employed people with disabilities is estimated at around 500 mln. Tg. annually making up 25–30 per cent of all total resources allocated for employment promotion for people with disabilities. With a view to ensure better enforcement of this legal provision in the future, it is planned to entrust Ministries and relevant stated budget institutions, the State Property Committee and Professional Inspectorate to include the enforcement as one of activity in annual performance agreement with Governors of the Capital city and provinces.

Question 11 (second sentence)

33. In conformity with Employment Promotion Law and Labour Law of Mongolia the Employment Promotion of People with Disabilities Program designed to create jobs consistent with the specifics and needs of people with disabilities is approved by the National Employment Council. Within ensuring the implementation of the Program approved by its meeting in May 2012, total number of 2,688 jobs, including 1,456 jobs were created for peoples with disabilities through the allocation of 1 milliard 668 mln. Tg. to 1,256 projects implemented in 21 provinces and 9 districts of Ulaanbaatar Capital City.

34. Also, 33 NGOs dealing with disabled persons and economic entities were granted financial support of 759.4 mln.Tg. through the limited bidding and created 133 jobs including 114 persons with disabilities with permanent jobs.

35. In 2013 Ministry of Labour planned to allocate from the Employment promotion Fund the total amount of 1.3 billion Tg., including the amount of 1 billion Tg. as a financial support for promoting self-business and entrepreneurship, and the amount of 300.0 mln.Tg. as a financial support to economic entities and NGOs which created specific jobs for people with disabilities. Accordingly, total number of 1,089 people with disabilities have been granted 979.9 mln.Tg. in the frame of 917 projects in 21 provinces and 9 districts in respective spheres, for instance 237 in the service sector, 74 in the food production, 160 in the light industry, 42 in the production of construction materials, 71 in agriculture, 132 in cultivation and 201 in family production. In total, 1,180 people with disabilities were provided with permanent and specific jobs through the allocation of 1 billion 278.9 mln.Tg. in the frame of the Employment promotion program for PWDs.

36. In 2014 the total number of 2,575 persons with disabilities were covered in the Program, having allocated 1 billion 653.2 mln. and created jobs for 1,576 persons with disabilities.

37. For the period between 2012 and 2014 the total number of 4,141 persons with disabilities have been granted financial support of 5 billion 203 mln. Tg. for engaging the family business, and provided with permanent jobs. For 2015, we plan to generate not less than 1,800 jobs as a result of taking the above-mentioned measures.

Article 7 – Right to just and favourable conditions of work

Question 12

38. With respect to increasing minimum wage for ensuring decent livelihood for an employee and his/her family, the National Tripartite Committee on labour and social Consensus re-set the hourly minimum wage at 1,142 Tg.86 mungu /the smallest unit Mongolian currency/ by its Resolution No. 7 dated 11 April 2013. With the effect of this

newly set up minimum wage since 1 September 2013, the hourly minimum wage was increased by 36.7 per cent compared to previous amount.

39. Resetting of the minimum wage was conducted in close linkage with the changes to living cost, labour productivity, proportion of average salary, social insurance pension and benefits, economic growth, and employment level.

40. If the proportion of labour productivity and average wage are considered, the increase of labour productivity by 18.1 percent shall result in the increase of average wage by 18.7 per cent in 2011, and the increase of productivity by 11.5 per cent shall lead to 32.9 per cent increase of the average wage.

Question 12 (second sentence)

41. These sectors experience the industrial accident, fatal cases and health deterioration of employees that are consequences of shortcomings due to the low enforcement and non-abidance of occupational safety and health related legislation, rules and regulations, the due establishment of employee and unit in charge of OSH, the absence of permanent employees and recruitment of contracted workers in many cases, the limited allocation of funding for OSH and not introducing the OSH management concept. In this regard, there have taking a number of measures to conduct assessment of the situation, to eliminate the occurred shortcomings and improve relevant inspection activities.

42. The Government has been making its best efforts to take due measures towards improving OSH conditions based on the assessment results. This is evidenced by the approval of "The Blue card Program" by joint Decree of Minister for Population Development and Social Protection and Minister for Construction and Urban Planning in 2013 and organize and allocate resources for effective and quality OSH training.

43. Also, the approval and enforcement of General Rules of regulation on occupational safety and health issues in the construction and maintenance work issued by the Resolution No. 75 of 2013 of the Capital City Presidium of Citizens' Representatives has an adequate impact on the reduction of industrial accident, identifying the reasons and increasing responsibilities for in the construction sector.

44. While the construction sector registered 69 cases of industrial accident with 28 fatal cases in 2012, the number of accident decreased by 56.5 per cent to 39 with reduction of fatal cases by 50 percent to 14 cases. Although this quantity reduction brings positive changes there is a need to make operational renovations.

Question 13

45. The Law of Mongolia on Promotion of Gender Equality was approved in 2011, and created an environment for preventing from sexual harassment at workplace. The employer is obliged to conduct training designed to prevent and eliminate the sexual harassment. The related provisions are also being reflected in drafting the revised version of Labour Law of Mongolia. For instance, the draft included the terms of harassment at workplace, sexual harassment, and direct and indirect types of harassment, responsibilities of an employer with regard to maintaining workplace free from harassment at workplace and sexual harassment, and organizing training activities rights and for employees on the prevention from and elimination of the harassment. Also, an employee is given a right to claim in the case if an employee is exposed to harassment at workplace and sexual harassment, and an employer is obliged to maintain a privacy issues over such a claim of an employee.

Article 8 – Right to join unions

Question 14

46. The rights of public servants and employees to associate are guaranteed in provisions of labour Law of Mongolia, The Law of Mongolia on the Public service, The Law of Mongolia on the Rights of Trade Union.

47. Although the public servants are provided with rights to associate, their rights to attend public meetings and demonstrations.

48. In the newly revised draft Labour Law of Mongolia we have added the inclusion of provisions regulating inequity issues in labour relations. In other words, the provisions have meaning of limiting the negative impact of employer on the rights to associate and prohibiting inequity in labour relations.

Question 15

49. In accordance with Mongolia's Law on Social Welfare and relevant legislation, many elderly people were not allowed to receive social welfare benefits and old age pension from the Social Insurance fund; thus, many elderly were not eligible to receive their old age pension in the past. As such, the Amendment to the Law on Social Protection was made, and the eligibility conditions for the elderly to receive old age pension from Social Insurance fund were met, and those who were not eligible for old age pension have been provided with opportunities to receive social welfare benefits.

50. In accordance with provision 150.1 of the Government Action Plan for 2012–2016, and in order to provide long-term sustainable pension through multi-pillar pension system, the Concept on Government Policy on Pension Reform was developed and submitted to the Parliament on 6 February, 2015.

51. The Draft Concept incorporates the issue of providing universal pension coverage for all the elderly. By doing so, it is expected that the social welfare pension will be replaced by the universal pension system, and basic pension amount set up by Government and financed from the State budget in close linkage with the minimum living costs.

Question 15 (second sentence)

52. The Reform Government of Mongolia established in 2012 set forward the objective to direct and deliver quality social welfare services for targeted households and citizens to meet their needs; thus, reflected that objective in its Action Plan for 2012–2016 as "Delivering Social Welfare Services to Targeted Population Group".

53. The coverage of citizen-household in benefits and exemptions granted in the framework of the currently effective package Social Welfare Law is low.

54. In this regard, it is necessary to conduct social welfare policies in close linkage with those of poverty alleviation by providing food and monetary assistance to support children of poor households to avoid poverty.

55. In 2013, the households survey was conducted nationwide covering 86 percent of the total population, and electronic database on 712,493 households ranked by living standards were developed in order to pursue the inter-sectoral coordination among the relevant ministries.

56. In 2014, from the total number of households that covered by the national survey, 83,362 children from 14,887 vulnerable households received food and nutrition support. In order to promote inter-sectoral coordination, "Regulation on Household Survey Database" was adopted by Resolution No. 404 of the Government on 30 December, 2014.

57. Certain measures are taken in an effort to involve vulnerable children in public health insurance and health care system, as well as in free legal assistance.

Article 10 – Protection of the family, mothers and children

Question 16

58. Measures taken to reduce gender-based violence:

- Domestic violence is considered a crime in Mongolia, and the Law to protect the victims and witnesses of the crime was bypassed, and relevant Judicial office was established to investigate the cases. Also, Unit on Domestic Violence was established in Ulaanbaatar Police Department.
- The Ministry of Population Development and Social Protection supports the activities of National Centre against Violence and National Centre on Gender Equality; funding of the shelter homes under the Centres are financed from the State Budget. Girls and women who were exposed to domestic violence receive free counselling services at the shelter homes, and health related issues are conveyed to respective hospitals and health organizations.
- In the case of victim's death as a result of domestic violence, the criminal investigation is processed, and the perpetrator receives the deserved penalties. For example: If the fact of perpetrator's commitment of rape and human trafficking is confirmed during the investigation, the perpetrator is found guilty and receives punishment.

59. Data on the number of investigations of gender-based violence cases in recent years, prosecutions, convictions, and sanctions imposed:

- Information and data of convictions on domestic violence: From the total number of 6,169 criminal cases 216 cases were solved under the Code 126 of Criminal Law on rape, from the 279 offenders 279 were sentenced to certain penalties; and 4 cases on human trafficking were solved and received penalties under Code 113 of Criminal Law. According to 2013, Court Orders related to domestic violence against girls and women were at 3.56 percent.
- In order to protect the rights of convicted women, the National Commission on Human Rights thoroughly investigates the Court Orders, studies the cause and reason of the crime. During the investigation, it was found out that while the mothers were serving terms in prison, children were left out of custody. This situation necessitated of recommendations to build up legal regulations. The majority of women serving terms in prison were the victims of domestic violence for many years.

Question 17

60. In the framework of Law on Social Welfare, new welfare services were introduced with objectives to socialize homeless, such as providing temporary shelter, serving hot food and drinks, and criteria on services standards have been approved. Approximately 1,000 homeless people live on the street, as of 2012.

61. For the delivery of welfare services, such as providing temporary shelter and serving hot food and drinks, one organization from Ulaanbaatar city and two organizations from the rural provinces were selected. Consequently, shelter house with capacity to place 30 in Ulaanbaatar City, 60 people in Darkhan-Uul City, 40 people in Orkhon City respectively

operate in the country. Besides providing accommodation, those houses provide meal, bathing, identity recognition, integration and other services.

Phenomenon of street children

62. Activities to find and register the neglected children were conducted 3 times in Ulaanbaatar City from 2012, and as a result it was determined that 50–100 children are in need of regular special services.

63. In partnership with Metropolitan Police Department and Centres for Child Protection and NGOs, Metropolitan Office for Child and Family Development has conducted several activities including identification of the address and necessity of those children, if possible to re-integrate them in their families in order to reduce the number of street children. For instance: Family members of 19 children are provided professional assistance such as psychological consultancy service for 2 years.

64. Based on the survey which was jointly conducted by organizations dealing with child issues, there were several main reasons that cause children to leave their home such as parents' addiction to alcohol, pressure from step-parents, domestic violence, divorce, low education of parents and caretakers and so forth. Child Protection Centre was abolished due to nullification of Law on Temporary Protection for Vulnerable homeless children and the mandate is switched to Child and Family Development Centres of districts and National Authority for Children.

65. Rule was developed by the joint decree of General Police Office and National Authority for Children in order to improve the quality of the service towards deprived children.

Question 18

66. Program on "Elimination of Worst Forms of Child Labour" is implemented by joint team which consists of representatives from Labour Division, Specialized Inspection Division, Human Right Division, Race Horse Trainer Association, governors of sum (the smallest administrative unit) and respective NGOs under leadership of Child and Family Development Division at provincial level.

67. In accordance with the recommendation by National Human Rights Commission that was made on existing inconsistency between national legislation on the minimum age for education and labour, the minimum age for employment was set at 15 in the revised draft Labour Law.

68. In cooperation with UNFPA, consultative meetings titled "Mining and Child" were held at the areas in which mineral resources were intensively extracting and the outcome of the meetings was distributed to respective organizations.

69. The community advocacy activity under the call "Let's unite against child labour", was organized on 12 June as the commemoration of the Internal Day against Child labour.

70. Database was developed to monitor registration and safety of child jockeys. (http://www.unaach.nac.gov.mn).

71. Nationwide discussions and consultations among public and with children themselves were held out on the issue of raising the minimum age for horse riding child that is considered as unique national kind of festival sports. As a result, stakeholders agreed on to increase the minimum age of 7 that is legally binding standards through step by step actions up to 9–10 year old from. Further National Authority for Children has established *Memorandum of Understanding with over 30 local organizations on cooperation on the* improvement of children's quality of life and increase of availability of access to education,

and on the issues of preventing children from exposure to worst forms of child labour and economic exploitation, and protecting their children's best interests.

72. It is estimated that out of total horse riding children aged between 4-15 year old in 2013, 52 percent were provided with jockey helmet, 37 percent with safety glasses, 41 percent with safety vest, 41 percent with knee protectors, 52 percent with safety boots. Thus, 74 percent of total child jockeys were provided with any type of safety clothes and 22 percent were provided one of aforementioned 5 types of safety facilities.

73. Organizations for protecting rights of children have position and works towards not to allowing child under 15 years old to ride a horse during winter and spring that impose high risk to children.

74. According to the statistics from National Authority for Children and Local Child and Family Development Centres, it is estimated that annually, around 10 thousands of horse riding children participate in horse racing festivals during summer vacation that registered 0.04 percent is injuries.

75. In accordance with the Decree A/39 of State Secretary for Ministry of Population Development and Social Protection, a working group was established to improve legal environment for the protection of safety of horse riding children. In 2014, the working group gathered 4 times to discuss on the issue of improving accident insurance service.

Registered horse riding children	7,114
Total boys	6,798
Total girls	316
High school students	7,033
Those who succeeded /with achievements/	159
Winners	74
Those who succeeded in 5th place	103
Registered race horse trainers	4,852
Registered permission distributors	4,275
Those injured	14
Severely injured	1
Lightly injured	13
Fatal cases	0
Registered horse racings	181
National festivals	59
Regional racings	12
Local racings	105
Other racing	3

Article 11 – Right to an adequate standard of living

Question 19

76. According to the existing Law on Social Welfare, 68 types of social welfare services including granting benefits to targeted groups such as people in need of permanent care and care givers of neglected and orphan children, and providing the pension, benefit and exemptions to discharged prisoner, young people out of orphanage, victims of violence, migrants in to poverty and so forth.

77. Ministry of Population Development and Social Protection of Mongolia created Inter-sectoral Database of Household which covers 86 percent of total household /712,044 household and 2,376,570 people/ in 2013.

78. The "Regulation on Application and management of Inter-sectoral Database of Household" was adopted by Government Resolution No. 404 on 30 December, 2014. The database provides the household information by different groups including employment, social groups, age and location so forth in the programs and policies of respective sectors. Thus, the database extends the opportunity to use the data on targeted groups of population for utilizing in cooperation with governmental and non-governmental as well as international organizations. Further, based on the survey, 97,918 members of 16,535 vulnerable household are provided food stamp and medical check-up vouchers in the frame of Food Stamp program.

79. The Government of Mongolia has implemented several welfare programs which had some positive impact on living standard of the poor including Child Money program 2005-2010, Benefit for every citizen from mining revenue. However, it is highly criticized that these programs make people to be welfare dependent and are only for political promise.

80. The Government of Mongolia established Committee on Poverty Reduction in accordance with Resolution No. 104 and started implementing National Program on Poverty Reduction since June 1994.

81. Following up the Program, the Government implemented "The National Program on Improvement of Household Livelihood" during 2000 and 2011 and "Sustainable Livelihood" since 2012.

82. In addition, with a view to eradicate the poverty in the long term, several mid-term strategic documents were developed, including "Interim Strategy Document on Poverty Reduction" in 2003 "Strategy document on Economic Growth and Poverty Reduction".

Question 20 (a)

83. The Government of Mongolia planned the amount of 147.8 billion tugrugs for re-engineering and social infrastructure for ger district in 2013–2014. Out of the total budget, 85.7 billion tugrugs are financed from the State budget /Genghis bond/ and 58.6 billion tugrugs are from municipal budget as well as 3.5 billion turgugs are planned for the layout of engineering network and road engineering design. The 27 construction fields in 14 different locations are under construction.

84. In the frame of this re-planning of ger district project, 16,000 agreements are planned to be signed. The majority of already signed agreements are made by conditions of agreement on selling of the by its owner, or exchange the land for apartment. According to the agreement, the construction companies and entities provide citizens who dispense their land for construction new buildings the with rent costs until the construction is finished. The "Department of Development /re-planning/ of gher district" conducts monitoring of implementation of the agreement.

85. The construction of first 3 blocks of apartments was completed in Songinokhairkhan district in 2014. As a result, 168 households from gher district are provided with convenient housing. The project implementing entity is planning to complete the construction of 4,000 apartments in 2015.

Question 20 (b)

86. The project "Re-engineering gher district" is implemented consistently with Government strategic objectives, such as Government Resolution No. 36, The Mid-term

Program on New Construction, UB city Development Vision 2020, Development Vision 2030 and Plan of Action of UB city Mayor 2013–2016.

87. According to the Government Resolution No. 7/29, 12/43 of 2013, 14/02, 19/23 of 2014 of the Citizens' Representative Rural of Ulaanbaatar city, the area 1,506.1 hectare covering 16,109 sites at 24 locations /suburban areas/ is selected for the re-engineering of gher district. The project area covers 8 districts and construction work will be done by 37 entities.

88. Even though there is no existing law on re-engineering of gher district, Regulation on re-engineering of gher district" is approved in accordance with Citizens' Representatives Khural Resolution No. 3/31 on "Approval of Regulation" and Resolution No. 23 by Chair Board of Citizens' Representatives Khural on "Approval of amendment to the regulation".

89. According to this regulation, the entity who received the most public support makes an agreement with land owner of certain area.

90. Any entity that succeeded to make bilateral agreements with land owners at no less than 75 percent is eligible to establish the tripartite agreement on behalf of the City Governor with the Department of Gher District Development and land owner.

91. The tripartite agreement includes all the conditions of bilateral agreements that is its attachment. The re-engineering of gher district is run on the basis of voluntary action thus no one is moved out of land forcibly.

Question 21

92. Measures taken to improve access to clean drinking water

- Program on access to safety drinking water for citizens of Ulaanbaatar city and its implementation plan were developed in collaboration with WHO and approved by Resolution No. 19/22 of Citizens' Representative Khural. The step-by-step implementation of the Program is financed from State and city budget.
- With purpose of increasing accessibility of safety drinking water, with increasing the watery access /portion/, the renovation and maintenance are made to the water supply system, wells and basin and distribution system.
- Research work to authenticate the water resource near Ulaanbaatar city is accomplished in cooperation with Ministry of Environment and Green Development and now is under the process of certification.

Article 12 – Right to physical and mental health

Question 22

93. Decree No. 413 on "Adoption of Methodology for health impact assessment" was approved by Minister for Health in 2014. The methodology is the benchmark for assessment of all types of impact on health. This involves the creation of conditions for taking evidence based measures concerning the soil and water contamination, among others, due to mining exploration as an integral part of environment impact assessment.

94. The impact of chemical substances which are used in mining sector on human health is studied. Also, the list of chemical substances and current situation of, the legal environment and the health impact assessment are being studies as well. The study shows that there exists over 80 types of chemical substances being used in mining sector. Accordingly, based on the findings of the survey, some recommendations were issued to prohibit the use of container of chemical substance for food purposes, to conduct activities

at local level to replace the chemical substance container with food container, undertake integrated public awareness and training policies on the danger and risk of hazardous chemical substances and foster of due habits, to take step by step steps to reduce the usage of mercury by artisanal miners. The respective authorities started the implementation of recommendations such as public awareness activities on reduction of usage of mercury and its negative impact on health.

95. In the frame of Sustainable artisanal mining project which is funded by Swiss Development Agency, the training on "Incidence of Occupational Disease and its Prevention" was held for artisanal miners in cooperation with Research Centre for Labour Health. The training focused on several issues faced by artisanal miners including major cause of occupational disease in mining sector, workplace safety, and hygiene, chemical substance and its impact, symptoms in case of intoxication.

Question 23

96. In accordance with the amendments on implementation of the activities to reduce air pollution which is made to the Article 20 of Law on Government of Mongolia, the Minister for Health issued an order No. 4156 dated 14 August 2014 to ensure its implementation.

97. During the 4th meeting of the Committee on Air Quality, the standard MNS 4585:2007 and newly developed project were discussed in 2014.

98. Discussion was held to address the issue of water contamination, air and soil pollution and waste management in cooperation with Ministry of Health, National Centre for Social Health, Ulaanbaatar city Mayor's office and the Metropolitan Specialized Inspection Department and 178 local authorities participated in it.

99. One of the six working groups which were established under the joint decree No 126/A-134 by Minister for Health and Minister for Environment and Green Development is working group on Air Quality which consists of 18 representatives from respective ministries, agencies universities, international organizations and NGOs. The Ministry of Environment and Green Development organized conference on "Environment – Health" in cooperation with Foundation for Environment Protection in 2014.

Question 24

100. Information on measures taken to improve access to quality sexual and reproductive as well as maternal health services, and to reduce disparities in such access particularly among adolescents and Kazakh women. Information of envisaged steps aimed at ensuring that informed consent is obtained from women with disabilities who undergo abortion or sterilization.

- The Government has approved and ensured implementation of "Maternal and Child Health" strategy (2011–2015) by the Minister of Health Decree No. 456 of 2010 and the 4th National Program for Reproductive Health (2012–2016) by the Government Resolution No. 61 of 2012.
- Regulation on "Pre-natal and post-natal pregnancy care" was renewed by the Minister of Health Regulation No. 338 of 2014.
- Guidelines on diagnosis of Pregnancy symptoms and diagnosis on Infertility treatments were adopted by the Health Minister's Decree No. 428 of 2014.
- As a result of improvement of pre-natal services of Maternal Care Centres, 60-80 percent of mothers from rural areas have referred to the Mother Care Centres during delivery process was decreased. Currently, there 341 accessible and comfortable Maternal Care Centres are running in Mongolia.

- Introduction of referral system has positive effect on reduction of maternal mortality rate.
- In collaboration with the United Nations Population Fund and the Government of Luxembourg, Mongolia has been successfully implementing the "Telemedicine Support to Promote Maternal and New-born Health" project. As a result of this project the hospitals of 21 provinces connected to the National Centre for Maternal and Child Health of Mongolia and upgraded their maternal and new-born health care access.
- As a result of establishment of the "Maternal and Child Health Fund" in provinces and providing the trip cost from the Fund for extreme poor mother and child who are necessary to transfer to the more capability hospital, local participation and support was improved to protect the mother's health.

101. As an outcome of implementation of the "National Reproductive Health Commodity Security Strategy" which developed with UNFPA, reproductive health commodities have been distributed to the rural countries since 2010. Increasing of National budget related Reproductive health essential medicine and commodity by the Government of Mongolia, in 2010, the Government purchased medicine and commodity with 85 million MNT and in 2014, purchased with 210 million MNT and distributed it to vulnerable populations and reproductive health care access was improved.

102. Prenatal and postnatal pregnancy health care and service regulation was updated. In this regulation including some principles; such as: giving assistance to Pregnant women and their families to encourage their participation, to respect their safety, rights and traditions, should not cause difficulties for pregnant woman and to help without regard citizenship. This regulation was established the legal framework for quality health care for pregnant women.

103. With a view to improve the access to reproductive health services among the adolescents, in 2014, Adolescents and youth health care clinics was established in National Centre for Maternal and Child Health, campuses of Khan-Uul, Bayangol and Bayanzurkh districts, Khentii, Dornogovi and Umnugovi provinces.

104. In order to provide the access to sexual and reproductive health services for Kazakh women, we translated "Hazardable symptoms of pregnancy" and "Hazardable symptoms of new-born" promotional materials into Kazakh language and dispensed to citizens, hospitals and slums.

105. To reduce inequalities of care and services, there have implemented the "To Serve the Each region" strategies in Bayan-Ulgii province that reached women and children with disabilities and poor families living in remote and rural areas of the countries.

106. "Mother and Child Support Fund" established reserves of 20 million MNT by the Bayan-Ulgii province Citizens' Representatives Khural Resolution No. 12 of 2014. The Fund supported round travel costs to and from Ulaanbaatar capital city to 15 mothers facing pregnancy complications to help receive specialized treatment and medical care.

107. The quality and access of care for mothers was improved as a result of expansion and maintenance of Hospital maternity rooms in Bayan-Ulgii province and increased number of maternity beds and personnel.

108. "Mother's resting accommodation" was designed by The Community Development Fund thus having created comfortable conditions for mother to rest.

109. As a result of measures taken to improve maternity health, Mongolia has successfully implemented the Millennium Development Goals targets to reach 50 per cent

in 2015, as the Maternal Mortality Rate (MMR) in Mongolia has steadily decreased from 51.5 in 2012 to 30.6 in 2014.

110. The improvement of assistance and care for herder woman's health, the share of maternal mortality among female herders dropped from 49 in 2004 to 24 in 2014.

111. The information of further methods related information about women with disabilities who undergo abortion or sterilization.

112. The statistics show that 3.8 per cent of total population Mongolia, or 96.3 thous. are people with disabilities among whom 52.7 thousand are men and 34.5 thousand are women. Free health services are available for disabled girls and women (physical, hearing, visual and mental).

113. Although Mongolia has pro-growth population policy, the abortion is permitted under Articles 32.1, 32.2 and Article 32.3 of Health law of Mongolia and the Order No. 148 of Health Minister on regulation concerning the abortion, "2014. Relevant health and medical support services for people with disabilities are provided under above legislation as there is no specific legal provisions for them. The early abortion is done upon request by woman and late abortion is done on the basis of professional doctor's conclusions. The provisions on the late abortion specifies the term of "woman with mental impairments".

114. The girls and women with disabilities are at high risk of sexual harassment, unwanted pregnancy, abortion and infectious diseases because of lack of understanding and information about sexual education and family planning. In this regard, the necessary steps are being organized to prevent women with disabilities from risks such as training on reproductive health for women with disabilities, and accessibility and increasing coverage by health care, as well as "Reproductive Health Guide," published in Braille t designed to improve health care and education of Visually impaired people.

Articles 13 and 14 – Right to education

Question 25

115. The information of the Committee on progress achieved in reducing school drop-out rates across the country particularly among boys, children from ethnic and linguistic minorities, and children living in remote areas.

116. With intention to reduce school drop-out and obtain Primary, Secondary and Upper-secondary education to children who dropped out of school and were unable to continue study because of living issues, the Minister of Education, Culture and Science approved "The Regulation for equivalent Primary, Secondary and Upper-secondary Education" by his order No. 362 in 2007.

117. With a view to ensure the implementation of this Regulation, there are 375 non-formal education centres operating in Mongolia, including 26 centres at Governor's offices, 331 at secondary schools, 8 at Education and culture departments, and 10 independent centres. The three types of non-formal education services such as Literacy training, Equivalency program training and Life skills training are provided in order to ensure the rights on education and improve access for dropped out children, illiterate adults and all people who wish to study the life skills.

118. In accordance with order No. 556 on "Approving policies on the non-formal education, and standard programs, plans and rules and No. 600 on "Making amendments to the order" adopted by the Minister of Education, Culture and Sciences of 2010, there have been issued 127 training modules for Equivalent Education Program for Primary, Secondary and Upper-secondary Education and placed in www.nfde.mn website. Those

modules have been help to re-educate independently for children who dropped out of school and those out of school. The access to these modules are available in the lowest-speed Internet environment being used in our country.

119. Every year a total of MNT 3.1 billion is spent for funding of equivalent secondary school education and literacy education from the State budget every .

120. In order to ensure the rights on education for children who out of and dropped out of school, the Government of Mongolia has been taking measures, in cooperation with local "Gegeerel" non-formal education centres, to enrol young monks residing in temples and boys and girls living in remote areas in the primary, intermediate and advanced levels literacy training activities and equivalent.

121. A total number of 12,336 students were covered by Equivalent Education Program at "Gegeerel" non-formal education centres in 2009. The fact that the number people enrolled in these training was 11,668 in 2010, 12,024 in 2011, 12,025 in 2012, 11,810 in 2013 and 10,199 in 2014, showed positive trends being created in a society and among the public.

122. Within 2013–2014 academic year total number of 1,573 basic education level students and 1,391 Secondary education level students studied and graduated from Equivalent Education Program and were able to be admitted to the next stage of training institutions.

123. "Education and disability: Equal rights and equal opportunities" consultation forum was organized from 04 to 11 May 2014. This forum was organized in cooperation with civil society and Department of cooperation on education with a view to prevent children with disabilities from accidents, to prevent and protect them to become victims of crime as well as to ensure equal access to education.

124. In accordance with the Government Resolution on approving the recurrent costs, the total amount of 45.1 billion Tg. is allocated for dormitory services, including 16.2 billion Tg. for teachers' wage and benefits and 24.1 billion Tg. for food expenses at dormitories at local level. The difference in funding for Province centres and remote rural areas is considered as a policy element that support the education services. .

125. Activities aimed to ensure the Education rights of ethnic minorities:

- With a view to ensure rights on education of ethnic minorities, the textbooks are translated into Kazakh language and published and delivered to Kazakh language training schools in Bayan-Olgii and Khovd provinces every year. Also, Kazakh language textbook unit was set up at the Institute of Education.
- The Minister for Education and Science issued Order No. A/329 in 2014 on "Some measures to improve Mongolian language and writing skills of teachers of secondary schools in Bayan-Olgii province". This order approved the composition of working group, action plan and required costs for activities to teaching, and training modules for upgrading Mongolian language writing skills as well as the composition of team to train teachers to develop training modules.

Article 15 – Right to culture

Question 26

List of universities, institutions, secondary schools cultural centre and libraries that connected to internet (by 2014)

№	*Name of the organizations*		*Total number*	*Out of them connected to internet*
1.	Universities and institutions		101	101
2.	Secondary schools		762	507
3.	Cultural centres		342	70
4.	Libraries	Provinces	39	39
5.		Villages	337	31
6.	School libraries		861	
7.	Number of computers at public libraries		2,061	471
8.	Number of computers at Cultural centres		1,141	305

126. According to statistics, 100 percent of universities, 507 secondary schools out of 762, 70 cultural centres out of 342 and 70 of public libraries out of 376 have connections to fiber-optic cable internet. The remaining schools are accessing internet through routers.

127. 376 public libraries have total 694 computers and 484 of them are connected to internal network and 380 are able to access internet. Annually on average 100,000 customers are accessing the internet in libraries to get information, upgrade their knowledge and spend their leisure time properly.

128. The National Library has started using internet archive and already transferred several handwritings, books, and book of xylography, dissertations to internet archive from their stores. Moreover, 32 computers of Library for children and 50 computers of public libraries have access to the internet.